

REMARKS

Reconsideration and withdrawal of the objections to and rejections of the application are requested in view of the remarks herewith, which place the application into condition for allowance.

I. STATUS OF CLAIMS AND FORMAL MATTERS

Claims 20-33, 35-42, 47-49, 51-64, 67-85 and 87-103 are pending in this application. The amendment to the specification adds sequence identifiers and corrects a grammatical error. No new matter is added.

Drawings

In response to the Notice of Draftsperson's Patent Drawing Review (Form PTO 948) that accompanied the Office Action, a new copy of Figure 4 is attached. The views have been labeled separately, as required by the Form PTO 948.

Sequence Listing

The Office Action alleged that the application was not in compliance with the sequence rules because page 12 of the application contains nucleotide sequences without sequence identifiers. The Examiner is thanked for his telephone call on July 15, 2003, confirming the nature of this objection. The instant amendment adds SEQ ID NOs to the specification; and it is believed that the application complies with the requirements of 37 C.F.R. 1.821 through 1.825.

II. THE DOUBLE PATENTING REJECTION IS OVERCOME

Claims 20-33, 35-42, 47-49, 51-64, 67-85 and 87-103 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-71 of U.S. Patent No. 6,312,682. A Terminal Disclaimer, disclaiming any portion of the patent term extending beyond the expiration date of U.S. Patent No. 6,312,682, is attached, obviating the double patenting rejection. Consequently, reconsideration and withdrawal of the double patenting rejection are requested.

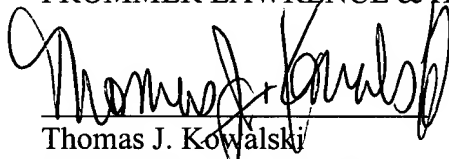
CONCLUSION

In view of the remarks and amendments herewith, the application is believed to be in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are earnestly solicited. The undersigned looks forward to hearing favorably from the Examiner at an early date.

Respectfully submitted,

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